

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**POWER SURVEY LLC,**

**Plaintiff,**

**v.**

**PREMIER UTILITY SERVICES  
LLC et al.,**

**Defendants.**

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**Civil Action No. 13-5670 (FSH)**

**ORDER**

This matter having come before the Court by way of the parties May 16, 2014, joint letter, ECF No. 77;

and Defendants requesting the Court amend the May 8, 2014 Scheduling Order to extend certain discovery deadlines;

and the Court having considered and discussed the deadlines at the May 8, 2014 Scheduling Conference;

and Defendants failing to show good cause as to why these deadlines should be altered;

and the parties having further requested clarification on the patent-related deadlines set in the May 8, 2014 Scheduling Order;

and for good cause shown;

IT IS ON THIS 19<sup>th</sup> day of May, 2014,

ORDERED that Defendants' request to alter discovery deadlines set in the May 8, 2014 Pretrial Scheduling Order is denied; and it is further

ORDERED that the patent-related deadlines shall be as follows:

1. The plaintiff shall disclose its asserted claims of infringement contentions pursuant to L. Pat. R. 3.1 and 3.2 on or before **May 22, 2014**;
2. The Defendants shall provide their invalidity contentions and non-infringement

- contentions pursuant to L. Pat. R. 3.2A, 3.3, and 3.4 on or before **July 7, 2014**;
3. Plaintiff shall provide responses to invalidity contentions per L. Pat. R. 4.1 on or before **July 21, 2014**;
  4. The parties shall identify the claim terms to be construed under L. Pat. R. 4.1 on or before **August 4, 2014**;
  5. The parties shall exchange their preliminary claim constructions and extrinsic evidence on or before **August 25, 2014**;
  6. The parties shall file their joint claim construction and prehearing statement pursuant to L. Pat. R. 4.3 on or before **September 24, 2014**;
  7. The parties shall file their claim construction submissions pursuant to L. Pat. R. 4.5(a) on or before **November 10, 2014**;
  8. Pursuant to L. Pat. R. 4.5(b), any expert discovery related to opening *Markman* submission shall be completed by **December 10, 2014**;
  9. Pursuant to L. Pat. R. 4.5(c), the parties shall contemporaneously file and serve responsive *Markman* briefs and any evidence supporting claim construction, including any responding experts' certifications or declarations on or before **January 9, 2015**;
  10. Pursuant to L. Pat. R. 4.6, the parties shall jointly submit a proposed scheduling order for a *Markman* hearing on or before **January 23, 2015**.

**s/ Michael A. Hammer**  
**United States Magistrate Judge**